



OLENE S. WALKER
Governor
GAYLE F. McKEACHNIE
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

ROBERT L. MORGAN JERRY D. OLDS
Executive Director *State Engineer/Division Director*

March 26, 2004

Art Taylor, Chairman
Duchesne / Strawberry Distribution System
PO Box 123
Duchesne, UT 84021

Re: Order of Distribution, Duchesne River

Dear Art:

Enclosed please find a copy of the Motion to the Court and the Distribution Order that is being sent to the District Court for signature. You will notice that instead of using the wording for paragraph 2 that we sent to you earlier, the Distribution Order has very similar wording as was used last year; the only change being the addition of Red Creek Reservoir. However, the wording of the Motion to the Court has been more substantially revised regarding paragraph 2.

We met with the Bureau of Reclamation (Bureau) and the Central Utah Water Conservancy District (District) on March 22nd to discuss both their letter to us, dated March 11, 2004, and our response to them, dated March 17, 2004. It was a good discussion and I believe it brought to light a couple of issues that need to be resolved. It appears that perhaps some of the problems that came up last year may be due to misunderstanding and miscommunication.

We discussed those issues at some length and several alternatives were suggested that might help to resolve the challenges that the irrigators face and the Bureau's and the District's concerns. It was agreed that these issues and any possible solutions need to be explored and discussed with the Joint River Committee over the next year to determine the best course of action for the future.

For this year, both the Bureau and the District agreed that Starvation Reservoir could be used for short-term (two weeks or less) regulation of direct flow irrigation water any time during the irrigation season. The appropriate arrangements need to be made with the District but there will be no requirement for a contract this year. Red Creek Reservoir may also be used for short-term regulation (two weeks or less) under the same conditions that apply to Starvation Reservoir. Our meetings this year will also be used to evaluate the impact of this short-term regulation on the operation of the distribution system.

I would like to set up a meeting with the Joint River Committee sometime in June to review how this arrangement worked during the early part of the irrigation season and to start discussing the issue and a long-term solution. I will contact you later about setting up the meeting.

If you have any questions, please contact me by phone at (801)538-7380 or by e-mail at LeeSim@utah.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lee H. Sim', with a large, stylized initial 'L'.

Lee H. Sim, P.E.
Assistant State Engineer

cc: Don A. Christiansen
General Manager
Central Utah Water Conservancy District
355 West University Parkway
Orem, UT 84058-7303

Bruce C. Barrett, Area Manager
Provo Area Office
Bureau of Reclamation
302 East 1860 South
Provo, Utah 84606-7317

John Swasey, Water Commissioner
Duchesne / Strawberry Distribution System
HC 1 Box 145
Duchesne, UT 84021

Bob Leake, Regional Engineer